IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4289 OF 2004
IN
FIRST APPEAL NO.1662 OF 1996

Sunderabai Govardhandas Samsuka
since deceased through her LRs.
Mrs.Shantabai Dhansukhlal Jain & Ors. ..Applicants

Versus

1.Ratanlal alias Babulal
Chunilal Samsuka & Ors. ..Respondents

Ms.Anjali Rodrigues for the applicants.
Mrs.Anita A.Agarwal for respondent no.1.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : MARCH 1, 2005.

P.C.

1. Heard.

2. This is a delay condonation application to bring legal representatives of deceased-respondent no.1A on record. We heard both the sides. The LRs of Sundarabai are already on record. One of the heir, namely, Shantabai - respondent no.1A is dead during pendency of this petition and the LRs. of deceased Shantabai are sought to be brought on record. What we notice is that even if there is delay in filing the appeal, the appeal does not

abates because other LRs of Sundarabai are on record. This matter pertaining to Hindu Adoptions and Maintenance Act, 1959. Delay is condoned. Civil application is disposed of accordingly. We further allow the applicants to bring on record the LRs of deceased Shantabai as prayed for in the civil application. The amendment to be carried out within two weeks.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

:hcs/mar